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Federal Agencies

January 4, 2008

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Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Art Unit 1633

Attn: Mail Stop Amendment

Re: U.S. Utility Patent Application  
Application No. 10/761,435; Filed: January 22, 2004  
For: **Fusion Constructs and Use of Same to Produce Antibodies With  
Increased Fc Receptor Binding Affinity and Effector Function**  
Inventors: UMAÑA *et al.*  
Our Ref: 1975.0180003/TJS/M-N

Sir:

Transmitted herewith for appropriate action are the following documents:

1. Credit Card Payment Form (PTO-2038) in the amount of \$180.00 to cover:  
\$180.00 IDS Fee;
2. Information Disclosure Statement;
3. Form PTO/SB/08A (1 sheet) listing 6 documents (US1-US3 and FP1-FP3);
4. Form PTO/SB/08B (10 sheets) listing 74 documents (NPL1-NPL74);
5. Copies of cited documents (FP1-FP3 and NPL1-NPL74); and
6. Return postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier.

In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

Commissioner for Patents

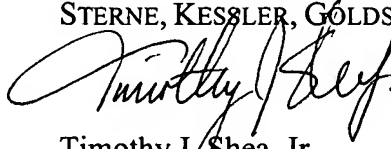
January 4, 2008

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The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

A handwritten signature in black ink, appearing to read "Timothy J. Shea, Jr.", is written over the printed name.

Timothy J. Shea, Jr.  
Attorney for Applicants  
Registration No. 41,306

TJS/M-N/lrd

Enclosures

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

UMAÑA *et al.*

Appl. No.: 10/761,435

Filed: January 22, 2004

For: **Fusion Constructs and Use of  
Same to Produce Antibodies With  
Increased Fc Receptor Binding  
Affinity and Effector Function**

Confirmation No.: 3728

Art Unit: 1633

Examiner: Burkhart, Michael D.

Atty. Docket: 1975.0180003/TJS/M-N

**Information Disclosure Statement  
Under 37 C.F.R. § 1.97 (c)**

*Mail Stop Amendment*

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Sir:

Listed on accompanying IDS Forms, PTO/SB/08A and PTO/SB/08B, are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98.

Copies of documents, **FP1** to **FP3** and **NPL1** to **NPL74**, are submitted. However, in accordance with 37 C.F.R. § 1.98(a)(2), copies of U.S. patent publications, **US1-US3**, cited on the attached IDS Form, PTO/SB/08A, are not submitted.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached IDS Forms based on information presently available to the undersigned. However, the listed publication

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dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

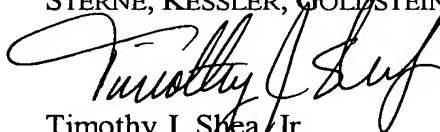
This Information Disclosure Statement is being filed more than three months after the U.S. filing date and after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Rejection, or Notice of Allowance, or an action that otherwise closes prosecution in the application. Attached is our PTO-2038 Credit Card Payment Form in the amount of \$180.00 in payment of the fee under 37 C.F.R. § 1.17(p).

It is respectfully requested that the Examiner initial and return a copy of the enclosed IDS Forms, and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



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Date:

1/4/08

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